



GARY R. HERBERT
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Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

April 29, 2010

Robert Hicken
Mountain Valley Stone, Inc.
2275 South Daniels Road
P. O. Box 985
Heber City, Utah 84032

Subject: Modified Suspended Approval to Mine on Lot 26, Mountain Valley Stone, Browns Canyon Quarry, M/043/0019, Summit County, Utah

Dear Mr. Hicken:

The Division's April 14, 2010, letter suspended approval to conduct mining operations on Lot 26 until you had provided additional surety and provided substantiation that Mountain Valley Stone has the right to enter and begin mining operations in Lot 26.

Upon further consideration, the Division has decided to remove the requirement to provide substantiation that you have right of entry for Lot 26. Rule R647-4-104.2 requires that the Notice of Intention to Commence Large Mining Operations (NOI) include the name, permanent mailing address, and telephone number of the surface landowner(s) and mineral owner(s) of all land to be affected by the operations. This information is in the NOI. The other requirement in the Division's April 14, 2010, letter, that you provide additional surety before beginning mining operations in Section 26, still applies.

Removal of this condition does not negate requirements under other laws to have the appropriate right of entry, and the approval or acceptance of an NOI does not relieve an operator from his responsibility to comply with applicable statutes, rules, regulations, and ordinances of all other agencies with jurisdiction over any aspect of the mining operation.

Thank you for your cooperation, and please call me at 801-538-5261 if you have questions about this letter.

Sincerely,

Paul B. Baker
Minerals Program Manager

PBB:vs

cc: edwardbrainrogers@yahoo.com

Bob Wertz, 545 South 300 West, Salt Lake City, Utah 84101

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